

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 1682 – SB 1734**

January 25, 2020

**SUMMARY OF BILL:** Authorizes certain local governments to establish standing committees of the county legislative body to consider applications for opening, changing, or closing a public road within the county. Expands the authority of regional planning commissions to include the ability to consider applications for opening or changing a public road.

**ESTIMATED FISCAL IMPACT:**

**Increase Local Expenditures –**

**Exceeds \$1,400/FY20-21 and Subsequent Years/Permissive**

**Assumptions:**

- Pursuant to Tenn. Code Ann. § 54-10-201 through § 54-10-216:
  - Petitions to open, change, or close a public road within a county are considered by a jury of view;
  - Juries of view, when appointed, consist of three members who are each paid \$2.00 per day of service, resulting in a total of \$6.00 (\$2.00 x 3 members) per day;
  - Applications to close a public road within the county may be considered by the regional planning commission, if it exists, as an alternative to appointing a jury of view.
- The proposed legislation:
  - Authorizes counties which do not have a regional planning commission to appoint a standing committee of the county legislative body, as an alternative to appointing a jury of view;
  - Requires any standing committee appointed to consist of five members;
  - Establishes that such standing committees shall operate only for the purpose of considering applications to open, change, or close a public road; and
  - Expands the topics which a regional planning commission may consider to include those which open or change a public road with the county.
- Pursuant to Tenn. Code Ann. § 13-3-104, regional planning commissions confer and advise local governments on a variety of issues. It is assumed the receipt of any applications concerning the opening or changing of a road would be added to a regularly scheduled meeting; therefore any impact associated with the expansion of topics considered is estimated to be not significant.

- Pursuant to Tenn. Code Ann. § 5-5-107, county commissioners are compensated for each day's attendance at a meeting or paid as a monthly salary. Members who are paid a monthly salary are not compensated for attendance at individual committee meetings.
- There are 25 counties which do not have a regional planning commission. Of those, 16 pay commissioners on a per-meeting basis at an average rate of \$70 per meeting.
- Of the 16 counties which do not have a regional planning commission and compensate commissioners on a per-meeting basis, it is reasonably assumed:
  - A quarter, or 4, of applicable counties will appoint a special committee as a direct result of the proposed legislation;
  - Counties appointing a special committee would have appointed a jury of view in the absence of this legislation; and
  - Any special committee appointed will meet at least once per year.
- The appointment of such special committees will result in a statewide recurring, permissive increase in local expenditures estimated to exceed \$1,376 {[( \$70 per-meeting compensation x 5 members) - \$6.00 jury of view compensation] x 4 counties} beginning in FY20-21.

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/jrh